

**V00**  
**Department of Juvenile Services**

***Capital Budget Summary***

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**Summary of State-owned Projects Funded in Governor's Request**  
**(\$ in Millions)**

<b><i>Project Title</i></b>	<b><i>Prior Approp.</i></b>	<b><i>FY 2014 Request</i></b>	<b><i>Future Estimated</i></b>	<b><i>Estimated Total</i></b>	<b><i>DLS FY 2014 Recomm.</i></b>
Cheltenham – New Detention Facility	\$4.208	\$21.362	\$33.250	\$58.820	\$21.362
New Waxter Detention Facility for Females	0.000	1.670	48.000	49.670	1.670
<b>Total</b>	<b>\$4.208</b>	<b>\$23.032</b>	<b>\$81.250</b>	<b>\$108.490</b>	<b>\$23.032</b>

<b><i>Fund Source</i></b>	<b><i>Prior Approp.</i></b>	<b><i>FY 2014 Request</i></b>	<b><i>Future Estimated</i></b>	<b><i>Estimated Total</i></b>	<b><i>DLS FY 2014 Recomm.</i></b>
<b>General Obligation Bonds</b>	<b>\$4.208</b>	<b>\$23.032</b>	<b>\$81.250</b>	<b>108.490</b>	<b>\$23.032</b>

**Summary of De-authorizations, Pre-authorizations, and Other Actions**

<b><i>Project</i></b>	<b><i>De-authorized Amount/ Pre-authorized Amount/ Other Action</i></b>	<b><i>Explanation</i></b>	<b><i>DLS FY 2014 Recomm.</i></b>
Juvenile Services Facilities Grant Program 2007	\$1,027,000	Projects did not proceed or were completed with small fund balances	Concur
Southern Maryland Detention Center	\$4,650,000	Failure to find an acceptable site	Concur
Baltimore Regional Treatment Center	Modification of legislative restriction	Provide additional time to find a site in Baltimore City. If a site is not found, repurpose the funds to a different project	Modify
Cheltenham – New Detention Facility	\$31,000,000 pre-authorization	Fiscal 2015 construction funding	Concur

Source: Department of Budget and Management, Fiscal 2014 *Capital Improvement Program*; Department of Legislative Services

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***Analysis of the FY 2014 Maryland Executive Budget, 2013***

## ***Summary of Recommended Bond Actions***

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1. Cheltenham Youth Facility – New Detention Center  
Approve \$21,362,000 in general obligation bond funds to start construction.
2. New Thomas J. S. Waxter Children’s Center  
Approve \$1,670,000 in general obligation bond funds for preliminary design.
3. Department of Juvenile Services – Facilities Grant Program  
Approve de-authorization of unencumbered funds authorized in the 2007 session.
4. Department of Juvenile Services – Southern Maryland Children’s Center  
Approve de-authorization of \$4.65 million in general obligation bond funds to reflect a revised project schedule and scope.
5. Department of Juvenile Services – Baltimore Regional Treatment Center  
Modify language.
6. Section 12 – Department of Juvenile Services – Cheltenham Youth Facility  
Approve pre-authorization of funds for the 2014 session to complete the construction funding for the Cheltenham Youth Facility – New Detention Center.

## **Fiscal 2014 Capital Projects**

The fiscal 2014 capital budget contains funding for two detention centers:

- \$21.4 million in funding to finish design and begin construction of a new 72-bed detention center on the grounds of the Cheltenham Youth Facility in Prince George’s County for male youth in the Metro Region. After significant delays due to the development of a project labor agreement, the construction is scheduled to begin in November 2013. If construction begins as scheduled, it is anticipated that the project will be complete by November 2015 (fiscal 2016).
- \$1.7 million to begin planning and design of a new 48-bed female detention center at the site of the former O’Farrell Center in Carroll County. Due to the failure to identify an acceptable site for a Southern Region male detention facility (discussed further below), the Department of Juvenile Services (DJS) has decided to use the existing site of the Waxter female detention facility in Anne Arundel County as the site for the Southern Region male detention facility. In order to do that, the department needs to accelerate the construction of a new detention facility for females on the site of the former O’Farrell Center in Carroll County. This facility will serve both the population currently served at Waxter as well as the female detained youth served at Noyes in Montgomery County. O’Farrell Center previously housed a committed program for male youth, but the program ceased in 2008.

## **De-authorizations, Pre-authorizations. and Other Actions**

In addition to fiscal 2014 capital funding, the capital budget includes four other actions related to DJS:

- **Juvenile Services Facilities Grant Program:** De-authorization of funding from the 2007 capital bill appropriation for the Juvenile Service Facilities Grant program (\$1.0 million). The bulk of this funding is for one project, Tuttle’s Place (\$957,000), which did not proceed.
- **Southern Regional Children’s Center:** De-authorization of prior year funding (\$4.7 million) for the new male detention facility for the Southern Region. Statute requires DJS to operate a secure juvenile detention facility in each of its six regions. The regional model, established in 2008, was designed to improve coordination among the department and local public safety entities and government agencies, in addition to community-based providers. The regional model also serves to keep youth closer to home. All of the regions currently have a secure detention facility for male youth except the Southern Region, which consists of Anne Arundel, Calvert, Charles, and St. Mary’s counties. Male youth from the Southern Region counties are currently held at Cheltenham Youth Facility.

The 2010 capital budget provided a total of \$4.65 million to fund the acquisition and preliminary design costs associated with constructing a new detention facility for the Southern Region. Language was added restricting the authorization for acquisition and design funds until DJS and the Department of General Services (DGS) submitted a report providing information on the site selection process for a detention center in the Southern Maryland Region. The language was modified in the 2012 capital bill to urge the departments to select a site for the facility by September 1, 2012, and submit a report to the budget committees detailing the site selection process and proposed location no later than September 30, 2012.

Over the course of two years, DJS considered a total of 121 sites throughout Anne Arundel (38 sites), Calvert (10 sites), Charles (48 sites), and St. Mary's (25 sites) counties. The department evaluated each site based on seven criteria: acreage; topography; environmental concerns; cost; proximity to dense residential or industrial use; contaminated soil/hazardous waste; and utility infrastructure. The majority of sites were rejected due to a lack of buildable acreage and/or public water and sewer.

In July 2012, DJS submitted a report to the General Assembly identifying 2510 Aurora Lane, Waldorf (Charles County), Maryland, 20601 as the site that most comprehensively satisfies the identified selection criteria. This property is located in the Acton Lane Industrial Park and has a recommended value of \$1,535,000, based on the appraisal provided by DGS. Based on the information provided in three appraisals, the Acton Lane property substantially met all but one of the identified selection criteria. The only criterion that the property did not wholly meet was with regard to the site's proximity to dense residential or industrial use. Of concern was the residential development that borders the property to the north, the White Oak Village community. In addition, Charles County expressed clear opposition to selecting the Acton Lane site and requested DJS to continue to pursue other options. The county also raised an additional concern regarding the utility infrastructure at the site, noting the potential for inadequate sewage pumping.

As a result of the concerns expressed regarding the chosen property and the overarching difficulties experienced in identifying an acceptable site, the fiscal 2014 capital bill de-authorizes the 2010 authorization, and the *Capital Improvement Program* now foresees funding for the design of the Southern Region male detention facility in fiscal 2017 at the current site of the Waxter female detention facility.

- **Baltimore Regional Treatment Center:** The capital bill also modifies the existing legislative restriction on \$3.0 million in funding for land acquisition for a Baltimore Regional Treatment Center. The restriction required the identification of a site for this facility by December 31, 2012, otherwise the funding was to be used for the design of a treatment facility at Cheltenham Youth Facility. Cheltenham Youth Facility is currently scheduled to receive design funding beginning in fiscal 2017.

The modification proposed in the bill:

- gives DJS until October 1, 2013, to find a site for the facility; and

- strikes the language relating to the design of Cheltenham Youth Facility and replaces it with language allocating the funding for a new or renovated facility for youth charged as adults also in Baltimore City.

DJS has spent even longer trying to identify a site for the Baltimore Regional Treatment Center than for the Southern Maryland Detention Facility. To date, a total of 58 sites have been evaluated, with no site significantly meeting the site selection criteria.

The proposed language which ties the new treatment facility funding to the youth-charged-as-adult issue appears to be part of a broader agreement among various stakeholders to address concerns regarding that population and the construction of a new youth-charged-as-adult detention facility in Baltimore City. In addition to renewing its efforts to develop a treatment facility in Baltimore City, DJS is also seeking to limit the use of secure detention in Baltimore City (by both detained and pending placement youth) that could in turn free detention space for youth charged as adults and trying to add private committed programming at Silver Oak (although the proposed expansion over the current 48 beds was recently pulled from the Board of Public Works agenda).

In truth, linking the creation of treatment capacity to a new facility for youth charged as adults would appear to do little to address this issue given data that suggests that over two-thirds (and potentially a much higher percentage) of the youth charged as adults cannot be served in the juvenile system under current law. In any event, the Department of Legislative Services (DLS) is proposing to address the youth charged as adult question differently, specifically delaying a Department of Public Safety and Correctional Services (DPSCS) project to advance the construction of a new facility for juveniles charged as adults (see the DPSCS capital analysis for additional details).

Given that proposal, the question remains as to whether to allow DJS additional time to try to find a site in Baltimore City for a treatment facility. **Despite the department's ongoing difficulties in finding a site, DLS concurs with the additional time to do this as reflected in the Governor's proposed budget, but after October 1, 2013, DLS recommends restoring the original language that would then divert the funding to the development of a treatment facility at Cheltenham Youth Facility if no substantial progress has been made to find a suitable site.**

DLS would also note that as introduced, the amendment proposed to the original language is internally inconsistent. One part of the amendment strikes the provision that negotiation for the acquisition of land for a new treatment center in Baltimore City be substantially complete by October 31, 2013, while the part of the language that allocates the funding to the new youth-charged-as-adults facility retains the requirement that this is triggered if a purchase agreement has not been substantially negotiated. Regardless of the treatment of the DLS recommendation, that internal inconsistency should be resolved.

- **Cheltenham Youth Facility – New Detention Center:** Finally, the capital bill pre-authorizes construction funding for the Cheltenham Youth Facility.

## ***GO Bond Recommended Actions***

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1. Approve \$21,362,000 in general obligation bond funds to start construction of the Cheltenham Youth Facility – New Detention Center.
2. Approve \$1,670,000 in general obligation bond funds for preliminary design of the New Thomas J.S. Waxter Children’s Center 48-bed detention center serving female youth.
3. Approve de-authorization of unencumbered funds authorized in the 2007 session for the Juvenile Services Facilities Grant Program.
4. Approve de-authorization of \$4.65 million in general obligation bond funds authorized in the 2010 session for the Southern Maryland Children’s Center to reflect a revised project schedule and scope.
5. Modify language.

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DJS Baltimore Regional Treatment Center

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Amend the following language:

- (A) Baltimore Regional Treatment Center. Provide funds for land acquisition for the Baltimore Regional Treatment Center, provided that the Department of Juvenile Services has until [December 31, 2012] **OCTOBER 1, 2013**, to identify { and substantially complete negotiations for the acquisition of land} **A SITE** for the Baltimore Regional Treatment Center. If a purchase agreement has not been substantially negotiated by [December 31, 2012] **October 1, 2013**, this authorization shall be restricted for the sole purpose of {designing the Cheltenham Treatment Center on the grounds of the Cheltenham Youth Facility in Prince George’s County. The Department of General Services shall submit certification to the budget committees by ~~December 31, 2012~~ October 1, 2013, on the status of land acquisition. The budget committees shall have 45 days from receipt of the certification letter to review and comment} ~~DESIGNING, RENOVATING, CONSTRUCTING, AND EQUIPPING A NEW OR RENOVATED FACILITY FOR YOUTH CHARGED AS ADULTS IN BALTIMORE CITY~~ (Baltimore City) ..... 3,000,000

*V00 – Department of Juvenile Services*

**Explanation:** The language restores the prior legislation restriction allocating funding to begin design of the Cheltenham Treatment Facility if no site for the Baltimore City Treatment Facility can be identified. The language retains the time extension provided to identify a site for the Baltimore City Treatment Facility until October 1, 2013.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Status of land acquisition	Department of General Services	October 1, 2013

6. Approve pre-authorization of funds for the 2014 session to complete the construction funding for the Cheltenham Youth Facility – New Detention Center. This pre-authorization and the funds authorized for fiscal 2014 will allow the project to be bid and construction to commence during fiscal 2014.